

NOVEMBER 22, 2005

**CITY OF GUNNISON COUNCIL
REGULAR SESSION MINUTES**

7:00 P.M.

The Regular Session was called to order at 7:00 P.M., by Mayor Ferguson with City Councilors Medina, Harriman, Miller and Nesbitt present along with City Attorney Landwehr, Interim City Manager Coleman, City Clerk Davidson, Community Development Director Westbay, Finance Director Hanson, Planning Technician Ruggera, Electric Superintendent Bradford, Water Superintendent Balch, several interested citizens and the press.

Mayor Ferguson asked that the agenda be modified to include "Appointment of City Manager and Approval of Employment Contract" be added under Unfinished Business. Council concurred with the addition.

Councilor Nesbitt asked that the Council and audience observe 30 seconds of silence in honor of President John F. Kennedy, who was assassinated on this date in 1963. Council observed 30 seconds of silence.

NOVEMBER 22, 2005

PUBLIC HEARING

7:00 P.M.

Mayor Ferguson opened the Public Hearing at 7:05 P.M. and stated the reason for the Hearing is to receive public input on Application ZA-05-3, by the City of Gunnison Community Development Director, for the request to rezone Meadows Village from PUD R2M and R3 zoning to a modified PUD R1M zoning. The real property for which rezoning is sought is legally described as: Meadows Village, a re-subdivision of Lots 11, 13, and 14, The Meadows Phase 1R. The Mayor asked for Proof of Publication. City Clerk Davidson stated proof of publication was included in their packets.

Mayor Ferguson asked for Staff/Applicant input. Community Development Director Westbay provided Council with an overview of the proposed zoning change. He showed a map depicting the underlying zoning in the existing PUD and the proposed changes. Director Westbay stated BAMP LLC finalized the subdivision last spring and this zoning change by the City is to reflect the single-family residences being built in the subdivision. The change will protect the homeowners buying houses in the development to protect the single-family residences. Discussion occurred on number of lots and the units per acre. Director Westbay stated there is no deviation from the PUD subdivision requirements in this rezoning proposal.

Mayor Ferguson called for public input. Director Westbay entered into the record a letter from BAMP, LLC stating they had no objection to the rezoning proposal.

Mr. Butch Clark, City resident, came forward and addressed Council. Mr. Clark stated that the original discussions on the entire Meadows Subdivision area included a much higher density. This rezoning is very different from the original plan and he urged Council to examine such high density proposals in light of the proposed West Gunnison Neighborhood Plan. The higher densities may or may not happen, depending on the developer, and the City needs to have flexibility on what is proposed in these new development areas. The housing market and public demand may alter the original planning, just as it was done in the Meadows Subdivision area. He sees the new zoning as a good plan and a good use of the area. Council thanked Mr. Clark.

Mayor Ferguson called for any further comments. Hearing none, he closed the Public Hearing at 7:17 P.M.

Consideration of Minutes:

Regular Session Meeting Minutes of November 8, 2005.

Councilor Nesbitt moved and Councilor Miller seconded the motion to approve the Regular Session Meeting Minutes of November 8, 2005, as corrected with the name "Median" changed to "Medina" on the last page.

Roll call vote, yes: Medina, Harriman, Ferguson, Miller, Nesbitt. So carried.

Roll call vote, no: None.

Pre-Scheduled Citizens: None.

Unfinished Business:

Proposed 2006 City Budget. Finance Director Hanson stated she had no additions or changes to the proposed budget. Councilor Nesbitt inquired about the low amount in the insurance fund. Director Hanson explained the amount is the net revenue to cover the wellness program and the insurance plan administrative fees not the net premiums that are paid.

Appointment of City Manager and Approval of Employment Contract.

Councilor Nesbitt moved and Councilor Miller seconded the motion to appoint Ken Coleman as City Manager, effective December 3, 2005, and to approve the employment contract with Ken Coleman.

Councilor Nesbitt clarified for the record that the City received 35 applications and interviewed 3 candidates for the position.

Mayor Ferguson added that he has received questions as to why the City went through the hiring process. He stated City Council owed it to the citizens to conduct a selection process to appoint the best candidate for the City. Ken Coleman stood out through the process and was selected because he is the best candidate for the position.

Ken Coleman thanked Council and City staff for the smooth transition. He looks forward to years of successful service to the City.

Roll call vote, yes: Harriman, Ferguson, Miller, Nesbitt, Medina. So carried.
Roll call vote, no: None.

New Business:

Action on Challenge Grant Application in the Amount of \$3,500 from Gunnison Chamber of Commerce for Holiday Events. This item was discussed at the Council Work Session on November 15th.

Councilor Miller moved and Councilor Nesbitt seconded the motion to accept the recommendation from the Challenge Grant Committee and approve the Challenge Grant Application in the Amount of \$3,500 from the Chamber of Commerce for Holiday Events and to authorize the Mayor to sign said grant agreement.

Roll call vote, yes: Ferguson, Miller, Nesbitt, Medina, Harriman. So carried.
Roll call vote, no: None.

Ordinance and Resolutions:

Ordinance No. 14, Series 2005; Re: Setting Mil Levy; 1st Reading.

Councilor Miller introduced Ordinance No. 14, Series 2005, and it was read by title only by the City Attorney with the amount of the mil levy being set at 3.868 mils.

Councilor Miller moved and Councilor Medina seconded the motion that Ordinance No. 14, Series 2005, **AN ORDINANCE SETTING A TAX LEVY FOR THE CITY OF GUNNISON, COLORADO**, be introduced, read, passed and ordered published on first reading this 22nd day of November, 2005.

Director Hanson stated the mil levy amount has not changed since 1993. This revenue is projected at \$212,616 in the 2006 Budget.

Roll call vote, yes: Miller, Nesbitt, Medina, Harriman, Ferguson. So carried.
Roll call vote, no: None.

Ordinance No. 15, Series 2005; Re: 2006 Budget; 1st Reading.

Councilor Miller introduced Ordinance No. 15, Series 2005, and it was read by title along with Sections 1 and 2, by the City Attorney.

Councilor Miller moved and Councilor Nesbitt seconded the motion that Ordinance No. 15, Series 2005, **AN ORDINANCE ADOPTING AND APPROPRIATING AN ANNUAL BUDGET**, be introduced, read, passed and ordered published on first reading this 22nd day of November, 2005.

Mayor Ferguson disclosed to Council that a small amount of the budget would go towards his company, GL Computer Service, and asked if any Councilor would like him to recuse himself. Council concurred they had no problem with the Mayor voting on the ordinance and thanked him for his disclosure.

Roll call vote, yes: Nesbitt, Medina, Harriman, Ferguson, Miller. So carried.
Roll call vote, no: None.

Ordinance No. 16, Series 2005; Re: Adopting an Additional Appropriation for the Fiscal Year Ending December 31, 2005; 1st Reading.

Councilor Miller introduced Ordinance No. 16, Series 2005, and it was read by title along with Sections 1 and 2, by the City Attorney.

Councilor Miller moved and Councilor Nesbitt seconded the motion that Ordinance No. 16, Series 2005, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ADOPTING AN ADDITIONAL APPROPRIATION FOR THE FISCAL YEAR ENDING DECEMBER 31, 2005**, be introduced, read, passed and ordered published on first reading this 22nd day of November, 2005.

Finance Director Hanson reviewed the memo she placed before Council this evening outlining the items covered in the additional appropriation ordinance. The ADAD grant is a pass-through, as is the Community Center tree grant. Revenues were received and their expenditures must be recorded by this ordinance. The new construction materials in the Electric Fund reflect the purchase of materials for unanticipated large construction projects. The City is paid for the materials by the developer but must show the appropriation and then expenditure of the funds. The purchased power will come from the Electric Fund reserves. This is an emergency situation due to the rising fuel costs in generating the electricity we purchase. The funds for the wastewater treatment plant generator are from the 2004 budget that were expended in 2005.

Councilor Nesbitt called for discussion on the purchased power. Electric Superintendent Bradford came forward and addressed Council. He stated that due to the unanticipated high cost of supplemental "support" power, we really don't have any choice. Each month the City purchases the support power on the spot market, not through the MEAN contract. In July, the cost went up to 5.8¢/kWh. We typically pay 4¢/kWh for this power. If fuel costs come down, the cost of this support power should decrease as well.

Roll call vote, yes: Medina, Harriman, Ferguson, Miller, Nesbitt. So carried.
Roll call vote, no: None.

Ordinance No. 17, Series 2005; Re: Amending the Boundary and Zoning District Classification of Meadows Village Subdivision from PUD R-2M and PUD R-3 to PUD R-1M District; 1st Reading.

Councilor Miller introduced Ordinance No. 17, Series 2005, and it was read by title only by the City Attorney.

Councilor Miller moved and Councilor Nesbitt seconded the motion that Ordinance No. 17, Series 2005, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON AMENDING THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY DESCRIBED AS THE MEADOWS VILLAGE SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED IN THE OFFICE OF THE GUNNISON COUNTY CLERK AND RECORDER, BEARING RECEPTION NO.**

554848, CITY OF GUNNISON, COUNTY OF GUNNISON, STATE OF COLORADO, FROM PUD R-2M AND PUD R-3 TO PUD R-1M; AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF GUNNISON, be introduced, read, passed and ordered published on first reading this 22nd day of November, 2005.

Roll call vote, yes: Harriman, Ferguson, Miller, Nesbitt, Medina. So carried.

Roll call vote, no: None.

Resolution No. 35, Series 2005; Re: Authorizing Extension of Existing Agricultural Lease Agreement with Raymond Van Tuyl for a Period of One Year. This item was discussed at the November 15th Work Session.

Councilor Miller introduced Resolution No. 35, Series 2005, and it was read by title only by the City Attorney.

Councilor Miller moved and Councilor Nesbitt seconded the motion that Resolution No. 35, Series 2005, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, AUTHORIZING AN EXTENSION OF EXISTING AGRICULTURAL LEASE AGREEMENT FOR A PERIOD OF ONE YEAR,** be introduced, read, passed and adopted this 22nd day of November, 2005.

Roll call vote, yes: Ferguson, Miller, Nesbitt, Medina, Harriman. So carried.

Roll call vote, no: None.

City Attorney: Nothing to report.

Interim City Manager: Ken Coleman: Reported the Christmas decorations are being put up and the tree, which is being donated by the Trinity Baptist Church, will be put in place on Monday. Interim Manager Coleman updated Council on the City Hall computer server problem. The main server is out of space and a request for proposals will go out in the next few weeks.

Acting City Manager: Finance Director Wendy Hanson: - Finance Departmental Report. Director Hanson reviewed the Finance Department report she gave to Council this evening. She is finalizing the Department of Local Affairs Energy Impact Funds Grant for the Community Center. Her department is completing an internal training manual and the City employee compensation plan is being reviewed for internal equities.

City Clerk: Gail Davidson: Asked Council to review their calendars for the upcoming holiday season.

Non-Scheduled Citizens: None.

General Discussion/Items for Work Session:

Councilor Harriman: Reported on the Gunnison Housing Authority meeting she attended last Thursday evening. Discussed at the meeting: the County LUR section on essential housing and the upcoming public hearing on the section; an upcoming workshop for Spanish-speaking residents on dealing with housing/renting issues; the potential need for additional personnel at the Housing Authority; and a potential public/private partnership on housing in the West Gunnison Neighborhood area adjacent to Blatt's property.

Councilors Miller and Medina, and Mayor Ferguson: Nothing further to report.

Councilor Nesbitt: Asked about the new fence on Rio Grande Ave. Interim City Manager Coleman stated it is a new privacy fence placed by the Pioneer Society with assistance from the County. Public Works will look at the fence to ensure it doesn't impede vision at the intersection.

Adjournment: At 8:06 P.M.

Mayor

City Clerk